

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHRISTOPHER A. ANDERSON,

Plaintiff,

v.

DR. BUTLER, *et al.*,

Defendants.

OPINION AND ORDER

14-cv-831-wmc

The court held a *Pavey* hearing at which the plaintiff, Christopher Anderson, appeared *pro se* and defendants appeared by counsel. After hearing evidence and closing arguments, the court established the following briefing schedule:

1. Defendants may have until Tuesday, August 15, 2017, to file any additional evidence or legal argument with respect to whether Mr. Anderson's apparent confusion over his ability to file a grievance on medical issues is sufficient to excuse him from the exhaustion defense given his likely psychotic break at the end of January 2013. *See Weiss v. Barribeau*, 853 F.3d 873 (7th Cir. 2017).
2. Plaintiff may have until Tuesday, August 22, 2017, to file a response, if any.
3. Should plaintiff file a new lawsuit renewing his claims in this case, the court will hold a scheduling conference to discuss possible consolidation and an expedited trial date of February 12, 2018.

Entered this 8th day of August, 2017.

BY THE COURT:

/s/

WILLIAM M. CONLEY

District Judge